

**Naples Planning and Land Use
Public Meeting
November 18, 2021**

Commission Present: Chris Clark, Jessie McKee, Andrew Bentley, Scott Adams

Commission Absent: Jacob Harrison

Others Present: Mike Davis, Gwen Harrison, Stephanie Adams, Scott Major

Verification of full Quorum Chris Clark verified a full quorum. All commissioners will be voting in tonight's meeting.

Approval of Agenda Jessie McKee motions to approve the agenda for the November 18, 2021, Scott Adams seconds the motion.

All in favor:

Chris Clark	Aye
Jessie McKee	Aye
Andrew Bentley	Aye
Scott Adams	Aye

Motion carried with all voting Aye. None opposed.

Disclosures Jessie McKee has item on agenda for the meeting.

Approval of Minutes Scott Adams abstains from voting on approval of minutes from previous meeting.

Chairman Clark asked for clarification two sentences that were not complete. "No pressing issue to act on now. Send to City Council for discussion on topic." and "Commissioner Clark asks for motion."

Andrew Bentley motions to approve the September 16, 2021, minutes with two changes made. Jessie McKee seconds the motion.

All in favor:

Chris Clark	Aye
Jessie McKee	Aye
Andrew Bentley	Aye

Motion carried with all voting Aye. None opposed.

PLANNING/DISCUSSION
Planning & Zoning

Mike Davis proposed the question if there were expectations from the Planning Commission for Staff relating to notifications and meetings. Commissioner McKee stated that changes to notification for commission members has improved and is working. Mr. Davis states that Staff would welcome discussion on expectations be shared. Commissioner Bentley questioned if this is relating to only meetings or in general. Mr. Davis stated yes, to both. Commissioner Bentley suggested on each item to have clarification if the item will be discussion, public hearing, legislative action, providing more description initially and expectations for commission members on agenda for commission members. Commissioner McKee requested clear language when items are presented. Commissioner Bentley stated that Josh Bake would review statues and compare them to other cities in search of items that could be cleaned up. He would also review what the state would be doing and if the state was going to be passing any item that Naples City did not have, which would be required in the city in the future. Mr. Davis questioned if he has items to be discussed, they could be brought

before the commission. Commissioner Clark clarified that unless a commission member has a personal matter listed on the agenda, the commission is only to hear and discuss what is presented to the commission during the meeting. Commissioner McKee stated Josh Bake would give staff a recommendation or idea of a direction to give an idea where he thought the commission would like to go. Commissioner Adams stated that staff would bring items in writing as it currently reads to have the commission review and suggest changes. Commissioner Clark stated that many of the items that would come up, staff would go to meetings planning meetings, meeting with other planners in the state and county, and would bring the items to the Planning Commission with recommendations for ordinance changes. The other items would be residents walking in to do business in the city and when ordinance is read, there appears to be conflicting information, items aren't clear enough, or items causing problems when applications were brought to the city by individuals questioning. Commissioner Bentley stated that some items are recommended by City Council that something be done by the planning commission. Rarely do items originate from the commission. Commissioner Bentley questioned if one of the commissioners did want something changed in a law if they should come to staff beforehand or present at the meeting. Ms. Harrison stated she preferred it be brought to staff ahead of time in order to complete research on the item to be added to the next agenda. Commissioner Clark stated when someone brings in an application the individual or staff will need to present it, the planning commission will have their packet but will also need some context with what the ordinance states, recommendation, or some direction from staff would be good. Planning commission may direct staff to look further in to an ordinance and come back the next meeting. Commissioner Bentley stated sometimes that may be that we are directed to look into other cities and what their ordinances may say. Commissioner Clark mentioned if there were to be ordinance changes the numbers to reference the ordinance number should be listed on the agenda.

Zoning Map Commercial Designations Discussion

Mike Davis presented the item regarding commercial designations. An individual had approached the city wanting to change a commercial designation to R3 designation. Mr. Davis got visiting with City Council and it was determined that they would like to keep commercial designations. Commissioner Bentley questioned if there was an individual who wants to come spend money and improve something, it is a conversation that should be had. The hotel near the Naples School wants to convert into apartments for monthly rent out instead of daily. Commissioner Bentley questioned if the City Council had voted on the master plan, which has been approved. He stated that would have an influence on where we would like to go forward with these items. Mr. Davis stated that if an individual wants to come in and build, he doesn't want to downplay development.

Landlocked Parcel Frontage Requirements Discussion

Mike Davis presented the item regarding a landlocked parcel. An individual approached Mr. Davis asking how they could build a home in a parcel that is landlocked where they would like to build on the northern most side of the property. In the past, the individual has proposed a flag lot, which was not approved. The property is in A1 and if they would be able to build a road to city standards to create the 80 feet of frontage. Commissioner Bentley stated the individual could build a road to the existing class D road. If he were to, he would have to build the road to a roundabout. Commissioner Clark stated he can build a house on that lot, it may take it out of Greenbelt. A minor subdivision would need to be completed to change the lot for 80 feet on frontage. At the moment, it is non-conforming. He does have the ability to make the frontage. A minor subdivision needs to come before the planning commission. Commissioner Bentley questioned if it was part of a dugway if that would count as frontage. Commissioner Clark stated if it is frontage along a public right of way, it is frontage regardless. Commissioner Bentley questioned how close the property was to a road on the north side of the parcel, which is approximately a mile and several property owners.

Jessy McKee Sign Discussion

Jessy McKee owns a sign built in 1986. We are unable to find a building permit for when the sign was put up. For his business needs, he needs something stating the sign is in Naples, acknowledged by someone in Naples government. His insurance needs to know that the structure is there and has been there for an extended period of time, and he didn't build it yesterday. The sign structure is there and is something within the city. Commissioner Bentley questioned if Mr. McKee is wanting to use this as an on-premise sign or off-premise sign. Mr. McKee stated he would like to use it as an off-premise sign at a later date, but for this topic it is a sign. He will be going to City Council to ask them to allow use from an old sign to this current sign. Commissioner Bentley questioned if this should be brought up to the City Council or if it should be brought up to the Land Use Ordinance Administrator. If there is a disagreement with individuals, they would go to the Land Use Ordinance Administrator as an arbitrator. Mr. McKee stated he has not been denied anything at this point. Mr. Davis stated it is being reviewed. Commissioner Bentley questioned if it is being reviewed by the right entity. If this is a dispute, it should go to the Appeals Variance Officer. Commissioner Clark questioned if the sign requires City Council approval or if it is an administrative procedure. Commissioner Bentley stated he is asking for administrative procedure. The planning commission is not in any position to rule on whether or not the sign has been there and can be used for what Mr. McKee is wanting to use it. Commissioner Clark stated that Mr. McKee in the fact that he has not been denied and application, there is no dispute. Mr. Davis stated Mr. McKee should come back with a letter stating the sign exists and should be given to Mr. Davis. Mr. McKee is looking for some acknowledgement that the sign is there, has been since 1986, its not a newly built structure, and the sign met requirements at the time of construction. Commissioner Clark stated that he has seen the sign and it does exist in Naples City. Mr. Davis stated once Mr. McKee receives his response for his other sign, they would accept the change of use on this sign or not. Mr. McKee stated the acknowledgement has to come from Naples City in order to list an asset and get it insured later on. Commissioner Bentley questioned if Mr. McKee has requested the letter. Mr. McKee stated he has but has not received it yet. Mr. Davis stated Mr. McKee should fill out a sign permit and bring a letter stating items that should be included on the letter. Commissioner Clark stated the sign approval process is administrative. Mr. McKee's situation began at a bad time because we were in between staff and administration changes. Mr. McKee questioned if someone were to come in for a sign recognized as on-premise if it would be the planning commission that would recognize it or if it would be Dale Peterson. Commissioner Clark stated the planning commission has very little decision making authority, all they are is a recommendation body.

ITEMS FOR FUTURE DISCUSSION

The Planning Commission has directed staff to look up and research the appeals variance officer.

Commissioner Clark asks for a motion to adjourn.

ADJOURN

Scott Adams motions to adjourn, Jessy McKee seconds the motion.
All in favor:

Chris Clark	Aye
Jessy McKee	Aye
Andrew Bentley	Aye
Scott Adams	Aye

Motion carried with all voting Aye. None opposed.

The next Planning and Zoning meeting will tentatively be held December 16, 2021, in the Naples City Council Chambers @ 7:30 P.M.